

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANDREW R. STUCHELL and)	
WENDELIN K. STUCHELL,)	
)	
Plaintiffs,)	CIVIL ACTION NO. 18-_____1182
v.)	
)	
LINDA McMAHON, in her official)	
capacity as Administrator of)	
the Small Business Administration,)	
)	
Defendant.)	

NOTICE OF REMOVAL

1. Removal of this action is pursuant to 28 U.S.C. §§ 1442(a)(1), 1444 and 1446.
2. On or about August 7, 2018, Plaintiffs, Andrew R. Stuchell and Wendelin K. Stuchell, filed a Complaint in the Court of Common Pleas of Westmoreland County, at Case No. 3310 of 2018.
3. No trial or proceeding has been commenced in said civil action.
4. A true and correct copy of all pleading and process received by the United States Attorney's Office in said civil action are attached hereto and marked as Exhibit "A".
5. In the above-described civil action Plaintiffs are seeking:
 - a. Determine and declare that the Pittsburgh National Mortgage (recorded on November 17, 1977 in book 1508, Page 77 and as instrument number 197711171059985 with the Westmoreland County Recorder of Deeds) has been paid off and satisfied, and no longer encumbers the Property described in Exhibit "A" hereto (112 Saunders Road, Trafford, Pennsylvania 15085; parcel identification number 55-03862-00000) as a mortgage lien;
 - b. Direct the Westmoreland County Recorder of Deeds to make a notation in the appropriate mortgage index to reflect the satisfaction of the Pittsburgh National Mortgage;

- c. Further direct the Westmoreland County Recorder of Deeds to record a copy of the Court's final order in the appropriate mortgage book to reflect the Court's determination in this matter; and
- d. Relief as the Court deems reasonable, just and proper.

WHEREFORE, Defendant, United States Small Business Administration removes this matter from the Court of Common Pleas of Westmoreland County, Pennsylvania, at Case No. 3310 of 2018, to the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

SCOTT W. BRADY
United States Attorney

/s/ Michael C. Colville
MICHAEL C. COLVILLE
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Western District of PA
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Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of September, 2018, a true and correct copy of the within NOTICE OF REMOVAL was duly served by either electronic filing and/or first class mail, postage prepaid, upon the following:

Grant R. Berger, Esquire
Fidelity National Law Group
1515 Market Street, Suite 1410
Philadelphia, PA 19102
Counsel for Plaintiffs

Tony Arroyo, Esquire
District Counsel
U.S. Small Business Administration
Philadelphia District Office
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King of Prussia, PA 19406
Defendant

/s/ Michael C. Colville
MICHAEL C. COLVILLE
Assistant U.S. Attorney